

**SPECIAL SESSION-----ROANOKE CITY COUNCIL**

**May 12, 2003**

**9:00 a.m.**

**The Council of the City of Roanoke met in special session on Monday, May 12, 2003, at 9:00 a.m., the special meeting hour, in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 36283-042103, adopted by the Council on Monday, April 21, 2003.**

**PRESENT: Council Members C. Nelson Harris, Linda F. Wyatt, William D. Bestpitch, William H. Carder, M. Rupert Cutler, Alfred T. Dowe, Jr., and Mayor Ralph K. Smith-----7.**

**ABSENT: None-----0.**

**OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.**

**The meeting was opened with a prayer by Vice-Mayor C. Nelson Harris.**

**The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.**

**PRESENTATIONS AND ACKNOWLEDGMENTS:**

**COUNCIL-ACTS OF ACKNOWLEDGEMENT-REGIONAL CHAMBER OF COMMERCE: Barton J. Wilner, Chair, Roanoke Regional Chamber of Commerce, presented a resolution of appreciation to Council Member William H. Carder for his service as a member of Roanoke City Council. (Mr. Carder's resignation will be effective May 16, 2003.)**

**COUNCIL-BUDGET:** The Mayor advised that the purpose of the special meeting was to enact measures relative to approval of the fiscal year 2003-04 budget for the City of Roanoke.

**BUDGET-CITY CODE-TAXES-ARMORY/STADIUM-ROANOKE CIVIC CENTER:** The City Manager submitted a communication advising that funding for Phase II of improvements to the Roanoke Civic Center facility is recommended in the fiscal year 2003-04 budget, including construction of 45,000 square feet of open exhibit space, a new kitchen, new truck dock, relocated cooling tower, administrative offices, improvements to the auditorium, offices and locker rooms for sports teams and a marquee on I-581; total cost of Phase II is approximately \$14.9 million and a \$14.3 million bond issue is recommended to fund the project; and in order to generate adequate revenues to service the debt, a 1.5 per cent City-wide rate increase in the City's Admissions Tax was approved in the fiscal year 2003 budget with the intent to request General Assembly approval during the 2003 Session for authority to levy a higher tax rate at Civic Facilities in fiscal year 2004.

It was explained that in the General Assembly's 2003 session, the City was granted approval to levy a higher Admissions Tax rate for events held at the Civic Center and Stadium/Amphitheater than for events held at all other facilities; in order to service the debt on Phase II improvements, a 9% rate is recommended for events held at the Civic Center and Stadium/Amphitheater; the higher rate allows for a reduction of the current rate of 6.5% for events held at all other facilities in the City to 5.5%; and the rate increase would be effective January 1, 2004.

The City Manager recommended that Council approve an ordinance amending section 32-217 of the Code of the City of Roanoke (1979), adjusting the admissions tax to 9% on events held at the Civic Center and Stadium/Amphitheater facilities and 5.5% on events held at all other facilities in the City, effective January 1, 2004.

Mr. Harris offered the following ordinance:

(#36306-051203) AN ORDINANCE amending §32-217, Levied rate, of Article IX, Admissions tax, of Chapter 32, Taxation, of the Code of the City of Roanoke (1979), as amended, in order to increase the admissions tax on the stated admission charge to events held at the Civic Center, Stadium and Amphitheatre from six and one-half percent (6.5%) to nine percent (9%); and setting the admissions tax at five and one-half percent (5.5%) on the stated admission charge to events held at any other places of amusement or entertainment in the City; dispensing with the second reading of this ordinance and providing for an effective date.

(For full text of Ordinance, see Ordinance Book No. 67, page 232.)

Mr. Harris moved the adoption of Ordinance No. 36306-051203. The motion was seconded by Mr. Dowe.

Mr. E Duane Howard, 508 Walnut Avenue, S. W., expressed concern that the Council meeting was being held at 9:00 a.m. on a Monday morning, which is a time that would be inconvenient for most citizens to attend; and called attention to those citizens who have thanked him for appearing before Council and expressing his views at City Council meetings. He stated that certain items on today's agenda will be addressed by the citizens of Roanoke when they cast their votes at the Councilmanic election in May, 2004.

Ordinance No. 36306-051203 was adopted by the following vote:

AYES: Council Members Harris, Wyatt, Bestpitch, Carder, Cutler, Dowe and Mayor Smith-----7.

NAYS: None-----0.

**BUDGET-CITY CODE-TAXES-TELEPHONE COMPANIES:** The City Manager submitted a communication advising that the Commonwealth of Virginia authorizes any locality providing Enhanced 9-1-1 (E9-1-1) service to its citizens to impose a special tax on the consumers of telephone service in order to support the cost of operations; Section 58.1-3813.1, Code of Virginia, limits the rate to a monthly fee not to exceed \$3.00 per telephone line; the tax is collected by telephone companies and remitted to the locality; and amounts collected are to be used solely to pay for capital and operating expenses incurred by the locality to provide the service.

It was further advised that the City of Roanoke currently has an E9-1-1 rate of \$1.45 per month which was increased in 1997 from \$0.99 to help pay for the regional 800 Mhz radio system upgrade; the current rate of \$1.45 per month generates approximately \$1.2 million in revenue and funds only 49% of the total cost of the E9-1-1 Center; and in fiscal year 2004, the E9-1-1 center will need additional personnel to answer the substantial volume of wireless E9-1-1 calls mandated but not fully funded by the State.

It was explained that the City administration recommends a \$0.55 increase in the tax rate to bring the monthly rate to \$2.00, which will fund 80% of the E9-1-1 center's operating costs, including additional personnel; a \$3.01 rate would be needed to fully fund the total cost of the E9-1-1 center; an October 1, 2003 effective date is required to meet the 120 day notice requirement mandated by State Code to

allow phone companies sufficient time to adjust their systems for the new rate; and based on the October effective date, it is estimated that the City will collect an additional \$373,542.00 in fiscal year 2004.

The City Manager recommended that Council adopt an ordinance amending Section 32-276 of the City Code adjusting the Enhanced 9-1-1 tax to \$2.00 per month, effective October 1, 2003.

Mr. Cutler offered the following ordinance:

(#36307-051203) AN ORDINANCE amending and reordaining §32-276, Tax levied; amount, of the Code of the City of Roanoke (1979), as amended, to provide for an increase in the special tax imposed on the consumers of telephone service to offset costs attributable to the Enhanced 911 Emergency Telephone System; providing for an effective date; and dispensing with the second reading by title paragraph of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 233.)

Mr. Cutler moved the adoption of Ordinance No. 36307-051203. The motion was seconded by Mr. Dowe.

Mr. E. Duane Howard, 508 Walnut Avenue, S. W., expressed concern with regard to the proposed increase in the special tax on consumers of telephone service to offset costs attributed to the Enhanced 911 Emergency Telephone System. He advised that many citizens of Roanoke can no longer afford telephone service which is a basic necessity of life.

Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., requested that the E911 surcharge not be enacted. She called attention to elderly citizens experiencing health problems who frequently call the E911 emergency number when they need to be transported to medical facilities, and advised that some of these persons cannot afford to pay their medical bills and must frequently choose between purchasing medication or food.

Ordinance No. 36307-051203 was adopted by the following vote:

AYES: Council Members Harris, Wyatt, Bestpitch, Carder, Cutler and Dowe-----6.

NAYS: Mayor Smith-----1.

**BUDGET-CITY CODE-TAXES:** The City Manager submitted a communication advising that the Code of Virginia classifies property owned by a business for short-term rentals as merchant's capital, and as such, is subject to a Merchant's Capital Tax that can be levied by a locality; however, localities that have a Business License Tax, such as Roanoke, cannot also levy a Merchant's Capital Tax; as a result, property owned by a business for short-term rentals in Roanoke, and other similar localities, is not subject to any type of personal property tax; and to offset the tax system inequity, the Code of Virginia, Section 58.1-3510.1, offers localities the option to levy a tax on short-term rental businesses of up to one per cent of gross proceeds, excluding sales tax.

It was further advised that short-term rental property may consist of videos, furniture, construction equipment or any other property that is rented on a short-term basis, excluding vehicles and trailers; and a business is considered to be engaged in the short-term rental business if not less than 80 per cent of gross rental receipts are from transactions involving rental periods of 92 consecutive days or less.

It was explained that a one per cent tax rate on daily rental business in the City will affect approximately 20 businesses and is estimated to generate \$104,167.00 for fiscal year 2004 based on a September 1, 2003 implementation date; in years after fiscal year 2005, the tax is expected to generate approximately \$125,000.00 in revenues; the City of Salem implemented a short-term rental tax in 1999 and Roanoke County has considered the tax but has not yet implemented it; six cities in the Virginia's First Cities Coalition have implemented a one per cent rate on rental gross proceeds; and a September 1, 2003 effective date would allow time for businesses to adjust their systems to provide for proper collection and remittance of the tax to the City.

The City Manager recommended that Council approve an ordinance adopting a one per cent short-term rental tax on gross proceeds from daily rental activity, effective September 1, 2003.

Mr. Carder offered the following ordinance:

(#36308-051203) AN ORDINANCE amending Chapter 32, Taxation, of the Code of the City of Roanoke (1979), as amended, by the addition of a new Article XV, Short-term Rental Tax, consisting of §§32-300 through 32-311, pursuant to the authority contained in §58.1-3510.1, Code of Virginia (1950), as amended; providing for an effective date, and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 235.)

Mr. Carder moved the adoption of Ordinance No. 36308-051203. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Harris, Wyatt, Bestpitch, Carder, Cutler and Dowe-----6.

NAYS: Mayor Smith-----1.

**BUDGET-SEWERS AND STORM DRAINS-FEE COMPENDIUM:** The City Manager submitted a communication advising that the Special Consent Order entered into by the City of Roanoke and the Commonwealth of Virginia requires improvements to the Regional Water Pollution Control Plant to address wet weather capacity needs; construction costs are estimated at \$43.6 million, with total project costs estimated at \$47.7 million, which includes construction as well as design costs, property acquisition, and construction of new road segments to serve areas of the neighborhood around the plant affected by expansion; and the City's share of the project is estimated at \$23.6 million.

It was further advised that a sewage standard treatment charge increase is needed to meet project funding requirements; the current sewage standard treatment charge of \$1.62 per 100 cubic feet (100 cu ft.) became effective on July 1, 1999; and staff from the Departments of Utilities and Finance recommend the following rate changes:

- A 20 per cent increase effective July 1, 2003 from \$1.62 to \$1.94 per 100 cu ft.
- A 15 per cent increase effective July 1, 2004 from \$1.94 to \$2.23 per 100 cu ft.
- Elimination of Special Industrial Sewage Treatment Charges under the Industrial Cost Recovery portion of the Fee Compendium, effective July 1, 2003.

It was explained that the recommended rate increase is expected to generate \$1.4 million in revenue for fiscal year 2004 and \$2.7 million annually starting in fiscal year 2005, which funding level will meet expected principal and interest payments of the planned improvements, as well as address operating costs of the expanded facility, including funding for future capital requirements.

It was noted that a residential consumer generating 5,000 gallons of wastewater per month can expect to see an increase of \$2.16 per month, from \$10.80 to \$12.96, for fiscal year 2004 and \$1.91 per month, from \$12.96 to \$14.87, for fiscal

year 2005; total increase from the current sewage standard treatment charge is \$4.07 per month; and the State average wastewater bill as reported by the 2002 Virginia Municipal League and Virginia Association of Counties joint survey is \$22.03 per month.

The City Manager advised that elimination of the Special Industrial Sewage Treatment Charges is also recommended, which charge was intended to assess industrial customers that discharge high strength waste to the City's wastewater collection system additional fees for treatment of the higher strength waste, however, less than ten customers are affected by the requirements; monitoring and laboratory charges cost customers an average of \$926.00 per year, in addition to the program fee which varies by waste discharge; monitoring charges are not sufficient to cover the costs incurred by the City to administer the program; and the above referenced sewage standard treatment charge applies to these customers.

The City Manager recommended that Council approve revised sewage treatment charges as above described and amend the City's Fee Compendium accordingly.

Mr. Carder offered the following ordinance:

(#36309-051203) AN ORDINANCE changing the rate structure and establishing a revised rate schedule for certain sewage treatment charges; directing amendment of the Fee Compendium; establishing effective dates for the revised rates; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 242.)

Mr. Carder moved the adoption of Ordinance No. 36309-051203. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Harris, Wyatt, Bestpitch, Carder, Cutler, Dowe and Mayor Smith-----7.

NAYS: None-----0.

**BUDGET-ANIMALS/INSECTS-REFUSE COLLECTION-FEE COMPENDIUM-LIBRARIES-TRAFFIC:** The City Manager submitted a communication advising that in developing the budget for fiscal year 2003-04, City departments were asked to reduce their budgets to help make up for the losses in State aid and identify ways to re-engineer services to generate cost savings for their departments; departments

were also asked to review fee structures and, where feasible, propose fee schedule changes that maintain fee uniformity between Roanoke and other localities, while recovering the cost of providing services; and the recommended fiscal year 2003-04 budget incorporates a number of proposed fee structure changes for animal impoundment, solid waste collection, libraries and parking fees, which proposed changes are reflected in budget ordinances presented for adoption by Council for fiscal year 2003-04 and will be effective July 1, 2003.

#### **Animal Impoundment Fees:**

The City of Roanoke is a participant in the Roanoke Valley Society for the Prevention of Cruelty to Animals (SPCA); with construction of a new facility, payments due from the City of Roanoke in support of the SPCA have increased \$191,000.00 for fiscal year 2004; to help recover a portion of the rising cost of the City's commitment, an increase in several Animal Impoundment Fees is considered necessary; first impoundment fees are recommended to be increased from \$20.00 to \$25.00 and Daily Boarding fees from \$8.75 to \$10.00; and estimated additional revenue generated by the changes for fiscal year 2004 totals \$5,250.00.

#### **Solid Waste Collection Fees**

The City offers solid waste collection services to residents and businesses inside and outside of the Central Business District (CBD); residential collections take place once a week, outside CBD commercial collections take place twice a week and for businesses inside the CBD, collections are offered up to six times per week; average monthly cost of collections in the CBD is \$193.00 per customer; and the City's current CBD rate structure is not sufficient to fully fund the cost of providing more than one collection per week at current rates.

The solid waste management fee schedule has two rate structures, a Central Business District rate and a rate for all other commercial customers outside of the Central Business District; in an effort to collect a larger percentage of costs, it is recommended that CBD collection fees for restaurants, offices and financial institutions be raised from \$50.00/month to \$100.00/month and CBD fees for specialty retail shops, health organizations, churches and nonprofits be raised from \$30.00/month to \$60.00/month, effective July 1, 2003; businesses



outside the Central Business District would no longer be provided more than one collection per week, and the current fee for the enhanced service level would be eliminated; businesses would then be provided with a similar level of "free" service as residential customers; and additional revenue generated in fiscal year 2004 as a result of the fee changes is estimated to be \$54,000.00.

#### Library Copy Fees

The library currently makes available coin-operated copiers for citizen use; copiers are in need of replacement and new equipment would be obtained through a leasing agreement; the City currently has a City-wide standard photocopy fee for citizens of \$.05 per page; with the high volume experienced on citizen use of library copiers, it is recommended that the libraries establish a rate specifically applicable to copiers used in their facilities; new fees for copies would be \$1.00 per color copy and \$.10 per black and white photocopy or laser printed page; revenue from fee increases would be partially offset by additional costs incurred for the lease, service and ancillary costs of the new machines generating an estimated net revenue to the City for fiscal year 2004 of approximately \$5,000.00.

#### Parking Fees

Current parking fees for City owned or controlled downtown parking facilities were established by Resolution Nos. 34770-050100, 35558-090401 and 36092-101502; in an effort to establish a more uniform rate structure for the entire parking system, certain increased fees are recommended; the proposed fees include an authorization for the City Manager to reduce any of the fees by up to \$10.00 if the City Manager determines such a reduction is needed for any of the parking facilities in accordance with certain guidelines, which will allow the City Manager to adjust rates to demands as necessary without requiring action by Council, at a future Council meeting, the City Administration will present a validation program for businesses in the Central Business District; the program will allow downtown businesses the option of purchasing parking validation stickers at a discount rate to give to customers that park in City parking facilities; and revenues generated from proposed fee changes will support additional maintenance needs of the parking facilities.

**Current procedures authorize the City Manager to modify or waive parking fees for City sponsored events, or for other events as deemed appropriate by the City Manager, which is recommended to be continued; and procedures further provide that any late payment of monthly parking fees or nonpayment of daily parking fees be subject to certain charges set forth in an attachment to the communication; it should also be provided that parking fees and charges set forth in the attachment will not be applicable to parking agreements that provide for a specific parking fee, or other method of payment for a specific period of time, unless otherwise provided for in such agreements, or until such agreements expire or are terminated.**

**The City Manager recommended that Council adopt resolutions and amend the City's Fee Compendium to reflect changes in animal impoundment fees, solid waste collection fees, library fees and parking fees, effective July 1, 2003.**

**Mr. Dowe offered the following resolution:**

**(#36310-051203) A RESOLUTION amending the City's Fee Compendium to increase the fees for impoundment of animals, photocopy fees at the libraries, and refuse collection in the Central Business District, as set out below; and establishing effective dates.**

**(For full text of Resolution, see Resolution Book No. 67, page 243.)**

**Mr. Dowe moved the adoption of Resolution No. 36310-051203. The motion was seconded by Mr. Carder.**

**Mr. E. Duane Howard, 508 Walnut Avenue, S. W., expressed opposition to increasing the fee for the photo copying of documents at Roanoke's Public Libraries. He stated that photocopies should be provided free of charge to the citizens of Roanoke inasmuch as taxpayers' dollars funded the initial cost of equipment.**

**Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., requested that Council not increase the price of photocopying at the City's libraries, which will deprive students from acquiring the knowledge they need to complete homework assignments. She stated that it is unfortunate that Roanoke's disadvantaged citizens do not have computers or photocopy equipment in their homes, their children must use computers and photocopy documents from Roanoke's public libraries, therefore, \$ .10 per page for a black and white copy and \$1.00 per color copy is too high. She**

advised that the City purchases paper, cartridges, etc., in bulk, therefore, the savings incurred from purchasing in bulk should be passed on to the consumer, and especially to the City's working poor. She suggested that current rates be retained and that the City review the feasibility of providing computers and photocopy equipment for each disadvantaged household in the City of Roanoke, which is currently provided by certain other localities. She asked that the City of Roanoke take into consideration the needs of disadvantaged citizens who live on fixed incomes.

Resolution No. 36310-051203 was adopted by the following vote:

**AYES:** Council Members Harris, Wyatt, Bestpitch, Carder, Cutler Dowe and Mayor Smith-----7.

**NAYS:** None-----0.

**BUDGET-FEE COMPENDIUM-PARKING FACILITIES:** Mr. Cutler offered the following resolution providing for amendment of fees charged at certain City parking garages:

(#36311-051203) A RESOLUTION providing for an amendment of the fees charged at Century Station Parking Garage, Church Avenue Parking Garage, Gainsboro Parking Garage, Market Square Parking Garage, Tower Parking Garage, Williamson Road Parking Garage, Bullitt Avenue Surface Parking Lot, Church Avenue Surface Parking Lot, Gainsboro Surface Parking Lot, Salem Avenue Surface Parking Lot, Viaduct Surface Parking Lot, and Williamson Road Surface Parking Lot; authorizing the City Manager to modify, waive, or reduce such parking fees under certain conditions; providing for assessment of certain fees for late payment or nonpayment of such parking fees; and directing amendment of the Fee Compendium.

(For full text of Resolution, see Resolution Book No. 67, page 245.)

Mr. Cutler moved the adoption of Resolution No. 36311-051203. The motion was seconded by Mr. Dowe.

Mr. E. Duane Howard, 508 Walnut Avenue, S. W., advised that the City of Roanoke says that it is concerned about the economy and wishes to encourage more people to visit downtown Roanoke; however, proposed increases in the rates to park in downtown parking garages, library photocopy fees, and the Roanoke Civic Center admissions tax will cause people to go elsewhere to shop, to conduct business, and to attend entertainment venues.

**Resolution No. 36311-051203 was adopted by the following vote:**

**AYES: Council Members Harris, Wyatt, Bestpitch, Carder, Cutler, Dowe and Mayor Smith-----7.**

**NAYS: None-----0.**

**DIRECTOR OF FINANCE-BUDGET:** The Director of Finance submitted a Certificate advising that in accordance with paragraphs (b) and (i) of Section 25.1 of the Charter of the City of Roanoke, funds required for the 2003-04 General Fund, Water Fund, Water Pollution Control Fund, Civic Facilities Fund, Parking Fund, Market Building Operations Fund, Department of Technology Fund, Fleet Fund, Risk Management Fund, School Fund, School Food Services Fund and Grant Fund budgets will be available for appropriation.

Without objection by Council, the Mayor advised that the Certificate would be received and filed.

**BUDGET-POLICE DEPARTMENT-PAY PLAN-FIRE DEPARTMENT-COMMITTEES-CITY COUNCIL-CITY EMPLOYEES-EMERGENCY MEDICAL SERVICES:** Mr. Carder offered the following ordinance:

**(#36312-051203) AN ORDINANCE to adopt and establish a Pay Plan for officers and employees of the City, effective July 1, 2003; providing for certain salary adjustments and merit increases; authorizing annual salary increments for certain officers and employees for use of private motor vehicles; authorizing annual salary increments for sworn police officers assigned to the Criminal Investigation Division; authorizing annual salary increments for certain members of the Fire-Emergency Medical Services Department who are certified as Emergency Medical Technicians; authorizing annual salary increments for certain members of the Fire-Emergency Medical Services Department who are members of the Regional Hazardous Materials Response Team; providing for continuation of a police career enhancement program; providing for continuation of a Firefighter/Emergency Medical Technician merit pay program; providing for a Community Oriented Policing Effort program; providing for payment of a monthly stipend to certain board and commission members; establishing the annual salaries of the Mayor, Vice-Mayor and Council members for the fiscal year beginning July 1, 2004; repealing Ordinance No. 35847-051302, adopted May 13, 2002, to the extent of any inconsistency; providing for an effective date; and dispensing with the second reading by title of this ordinance.**

**(For full text of Ordinance, see Ordinance Book No. 67, page 252.)**

**Mr. Carder moved the adoption of Resolution No. 36312-051203. The motion was seconded by Mr. Bestpitch.**

**Mr. E. Duane Howard, 508 Walnut Avenue, S. W., spoke against the proposed pay increase for Council Members in view of the fact that so many citizens are suffering financially as a result of today's economy.**

**Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., spoke in opposition to a proposed pay increase for Council Members. She stated that no notification was provided to citizens that Council intended to act on a pay increase and questioned whether such action is an indication of open government. She requested that funding for the six Fire/EMS positions be reinstated in the 2004 fiscal year budget so that citizens of Roanoke will be adequately protected. She advised that citizens who address Council are present out of a desire to make the City a better place; it is their right to express agreement or disagreement with the management of the City, which is a part of the democratic process; and citizens should have the right to express their opinion by applauding during Council proceedings, when appropriate.**

**The Mayor advised that in the year 2000, he advocated the appointment of an independent body to make recommendations regarding the salary of the Mayor and Members of City Council, which would provide a non-political way to address the matter in the future.**

**Ms. Wyatt moved that the ordinance be amended to delete the following: "establishing the annual salaries for the Mayor, Vice-Mayor and Council Members for the fiscal year beginning July 1, 2004." The amendment was seconded by Mr. Harris.**

**Mr. Bestpitch called attention to three general positions on the subject of salary increases for the Mayor and Members of City Council; i.e.: (1) the salaries should never be increased at anytime and under any circumstances; (2) the position that another entity should decide what is the appropriate salary for the Mayor and Members of City Council; and (3) no organized effort has been made by any person to develop a different procedure for establishing salaries for the Members of Council. He stated that those persons who contend that the salary should not be increased are implying that only those persons who are wealthy enough not to need a meaningful salary should ever be elected to City Council, which perspective is irresponsible and unfair to future members of City Council, because it places those persons in a situation of either having to serve with a salary that is so small that it becomes meaningless, or the Council is forced into a position of making a significant adjustment as previous Council have attempted to do from time to time. He advocated that salaries for Council Members should be increased on an annual basis by the same percentage as the increase in salaries for City employees.**

Mr. Bestpitch explained that the ordinance currently before the Council is to increase the salaries by the 2.25 per cent that City employees will receive; State law requires that any increase in a Council salary be adopted prior to the next Councilmanic election, but the increase will not take effect until July 1 following the Councilmanic election; the 2.25 per cent increase is reasonable; and it is unfair not to increase Council salaries by a modest amount on a regular basis.

Mr. Dowe spoke in support of appointment of an independent entity that would be changed with the responsibility of reviewing the Council's salary.

Mr. Carder advised that Council will be voting for a pay increase for the next Council which takes office on July 1, 2004. He stated that he planned to support the pay increase because it is the right thing to do for Council Members who devote an untold number of hours on City business.

The amendment to the ordinance was lost by the following vote:

AYES: Council Members Harris, Wyatt and Dowe----- 3.

NAYS: Council Members Bestpitch, Carder, Cutler and Mayor Smith----- 4.

Ordinance No. 36312-051203 was adopted by the following vote:

AYES: Council Members Harris, Wyatt, Bestpitch, Carder, Cutler and Dowe-----6.

NAYS: Mayor Smith ----- 1.

BUDGET-PAY PLAN-CITY TREASURER-COMMISSIONER OF REVENUE-CITY SHERIFF-COMMONWEALTH'S ATTORNEY-CIRCUIT COURT: Mr. Carder offered the following ordinance establishing salaries for the Constitutional Officers:

(#36313-051203) AN ORDINANCE establishing compensation for the Sheriff, Treasurer, Commissioner of Revenue, Commonwealth's Attorney, and Clerk of Circuit Court for the fiscal year beginning July 1, 2003; authorizing execution of revised contracts with the Sheriff, Treasurer, Commissioner of Revenue and Clerk of Circuit Court with respect to their employees participating in the City's Classification and Pay Plans, to reflect a revised method for establishing the compensation of these officers; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 257.)

Mr. Carder moved the adoption of Ordinance No. 36313-051203. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Harris, Wyatt, Bestpitch, Carder, Cutler, Dowe and Mayor Smith-----7.

NAYS: None-----0.

BUDGET: Mr. Dowe offered the following ordinance adopting the annual General Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003, and ending June 30, 2004, in the amount of \$204,800,894.00:

(#36314-051203) AN ORDINANCE adopting the annual General Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003, and ending June 30, 2004; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 258.)

Mr. Dowe moved the adoption of Ordinance No. 36314-051203. The motion was seconded by Mr. Cutler.

Mr. Carder expressed concern with regard to previous statements that the proposal of the City Manager to unfund six positions in the Fire/EMS department would endanger the lives of citizens. He stated that the City Manager and the Fire Chief would not submit a recommendation to Council that they believed would, in any way, endanger the lives of citizens. He spoke in defense of the City Manager and the Fire Chief, and offered a substitute motion that the City Manager be directed to unfund the six positions in the Fire/EMS Department as previously recommended by the City Manager.

The substitute motion failed for lack of a second.

Mr. Bestpitch requested that the record reflect that he was misquoted in a recent newspaper article that unfunding the six positions would, "invariably endanger our citizens;" however, his statement was, "at some point, reductions in fire personnel would lead to endangerment of citizens." He stated that the City currently has 255 positions approved for operational staff that respond to calls in the Fire and EMS service; four months ago, 255 individuals filled those positions, but in four months time 14 vacancies have occurred, therefore, currently 241 fire staff are available; and a 67 person minimum per shift per day is needed in order to

staff all fire engines, ladder trucks and rescue vehicles. He stated that in the budget study briefing, Council was told that the Fire Chief uses a multiplier of 3.65, 67 times 3.65 equals 245 positions; if the number falls below 245, overtime worked by some fire personnel can make up the difference, but the question is, at what point does excessive overtime become a problem, even if it is worked on a voluntary basis. He called attention to situations where staff might be called upon to work so much overtime that they become stressed and unable to perform at an acceptable level. He added that as a part of the City Manager's briefing, he expected an explanation of the mathematical calculation that was used to reach the recommendation to unfund the six positions, however, no mathematical calculation was forthcoming, and until a better explanation is provided of exactly how to calculate a better number, along with a comprehensive analysis of other cities, he could not support unfunding the six positions for fire service.

Mr. Dowe advised that he supports funding for the six firefighter positions; however, many citizens have expressed the desire that they do not want fees and taxes to be increased. He stated that the ability to keep fees and taxes low, along with the ability to fund the entire City work force, coupled with State and Federal challenges, will have to be addressed at some point in the future, and discussion is needed to reach a better understanding with citizens.

The Mayor advised that 67 fire personnel are on duty on a daily basis which is double the per capita of certain other comparable sized cities. He stated that the Roanoke Firefighters Association is a formidable political force in the City of Roanoke.

In response to the Mayor's statement, Ms. Wyatt advised that Roanoke City operates a stand alone fire department, and those fire departments referenced by the Mayor in other localities are backed up by other jurisdictional fire departments; i.e: if Virginia Beach has a fire, the fire is covered by fire departments from Norfolk, Portsmouth and Chesapeake, etc. She stated that the Roanoke Firefighters Association has as much right to advocate its "political agenda" as does the Roanoke Regional Chamber of Commerce, Downtown Roanoke, Inc., and Center In the Square, etc., which is a part of the democratic process.

Mr. Harris called for the question; whereupon, Ordinance No. 36314-051203 was adopted by the following vote:

AYES: Council Members Harris, Wyatt, Bestpitch, Carder, Cutler, and Dowe-----6.

NAYS: Mayor Smith -----1.



**BUDGET-WATER RESOURCES:** Mr. Harris offered the following ordinance adopting the annual Water Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003, and ending June 30, 2004, in the amount of \$14,511,299.00:

(#36315-051203) AN ORDINANCE adopting the annual Water Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003, and ending June 30, 2004; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 263.)

Mr. Harris moved the adoption of Ordinance No. 36315-051203. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Wyatt, Bestpitch, Carder, Cutler, Dowe and Mayor Smith-----7.

NAYS: None-----0.

**BUDGET-SEWERS AND STORM DRAINS-WATER RESOURCES:** Mr. Harris offered the following ordinance adopting the annual Water Pollution Control Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003 and ending June 30, 2004, in the amount of \$11,345,639.00:

(#36316-051203) AN ORDINANCE adopting the annual Water Pollution Control Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003, and ending June 30, 2004; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 264.)

Mr. Harris moved the adoption of Ordinance No. 36316-051203. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Wyatt, Bestpitch, Carder, Cutler, Dowe and Mayor Smith-----7.

NAYS: None-----0.

**BUDGET-ROANOKE CIVIC CENTER:** Mr. Harris offered the following ordinance adopting the annual Civic Facilities Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003, and ending June 30, 2004, in the amount of \$5,242,047.00:

**(#36317-051203) AN ORDINANCE** adopting the annual Civic Facilities Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003, and ending June 30, 2004; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 265.)

Mr. Harris moved the adoption of Ordinance No. 36317-051203. The motion was seconded by Mr. Dowe and adopted by the following vote:

**AYES:** Council Members Harris, Wyatt, Bestpitch, Carder, Cutler, Dowe and Mayor Smith-----7.

**NAYS:** None-----0.

**BUDGET-PARKING FACILITIES:** Mr. Harris offered the following ordinance adopting the annual Parking Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003, and ending June 30, 2004, in the amount of \$5,422,784.00:

**(#36318-051203) AN ORDINANCE** adopting the annual Parking Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003, and ending June 30, 2004; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 267.)

Mr. Harris moved the adoption of Ordinance No. 36318-051203. The motion was seconded by Mr. Dowe and adopted by the following vote:

**AYES:** Council Members Harris, Wyatt, Bestpitch, Carder, Cutler, Dowe and Mayor Smith-----7.

**NAYS:** None-----0.

**CITY MARKET-BUDGET: Mr. Harris offered the following ordinance adopting the annual Market Building Operations Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003, and ending June 30, 2004, in the amount of \$329,043.00:**

**(#36319-051203) AN ORDINANCE adopting the annual Market Building Operations Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003, and ending June 30, 2004; and dispensing with the second reading by title of this ordinance.**

**(For full text of Ordinance, see Ordinance Book No. 67, page 269.)**

**Mr. Harris moved the adoption of Ordinance No. 36319-051203. The motion was seconded by Mr. Dowe and adopted by the following vote:**

**AYES: Council Members Harris, Wyatt, Bestpitch, Carder, Cutler, Dowe and Mayor Smith-----7.**

**NAYS: None-----0.**

**BUDGET-CITY INFORMATION SYSTEMS: Mr. Harris offered the following ordinance adopting the annual Department of Technology Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003, and ending June 30, 2004, in the amount of \$5,517,185.00:**

**(#36320-051203) AN ORDINANCE adopting the annual Department of Technology Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003, and ending June 30, 2004; and dispensing with the second reading by title of this ordinance.**

**(For full text of Ordinance, see Ordinance Book No. 67, page 270.)**

**Mr. Harris moved the adoption of Ordinance No. 36320-051203. The motion was seconded by Mr. Dowe and adopted by the following vote:**

**AYES: Council Members Harris, Wyatt, Bestpitch, Carder, Cutler, Dowe and Mayor Smith-----7.**

**NAYS: None-----0.**

**BUDGET-FLEET MAINTENANCE FUND:** Mr. Harris offered the following ordinance adopting the annual Fleet Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003, and ending June 30, 2004, in the amount of \$5,259,015.00:

**(#36321-051203) AN ORDINANCE** adopting the annual Fleet Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003, and ending June 30, 2004; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 271.)

Mr. Harris moved the adoption of Ordinance No. 36321-051203. The motion was seconded by Mr. Dowe and adopted by the following vote:

**AYES:** Council Members Harris, Wyatt, Bestpitch, Carder, Cutler, Dowe and Mayor Smith-----7.

**NAYS:** None-----0.

**BUDGET-RISK MANAGEMENT FUND:** Mr. Harris offered the following ordinance adopting the annual Risk Management Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003, and ending June 30, 2004, in the amount of \$14,039,624.00:

**(#36322-051203) AN ORDINANCE** adopting the annual Risk Management Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003, and ending June 30, 2004; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 273.)

Mr. Harris moved the adoption of Ordinance No. 36322-051203. The motion was seconded by Mr. Dowe and adopted by the following vote:

**AYES:** Council Members Harris, Wyatt, Bestpitch, Carder, Cutler, Dowe and Mayor Smith-----7.

**NAYS:** None-----0.

**BUDGET-SCHOOLS: Mr. Cutler offered the following ordinance adopting the annual School Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003, and ending June 30, 2004.**

**(#36323-051203) AN ORDINANCE adopting the annual School Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003, and ending June 30, 2004; and dispensing with the second reading by title of this ordinance.**

**(For full text of Ordinance, see Ordinance Book No. 67, page 274.)**

**Mr. Cutler moved the adoption of Ordinance No. 36323-051203. The motion was seconded by Mr. Harris and adopted by the following vote:**

**AYES: Council Members Harris, Bestpitch, Carder, Cutler and Dowe-----5.**

**NAYS: Council Member Wyatt and Mayor Smith-----2.**

**BUDGET-SCHOOLS: Mr. Harris offered the following ordinance adopting the annual School Food Services Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003, and ending June 30, 2004, in the amount of \$4,858,258.00:**

**(#36324-051203) AN ORDINANCE adopting the annual School Food Services Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003, and ending June 30, 2004; and dispensing with the second reading by title of this ordinance.**

**(For full text of Ordinance, see Ordinance Book No. 67, page 277.)**

**Mr. Harris moved the adoption of Ordinance No. 36324-051203. The motion was seconded by Mr. Dowe and adopted by the following vote:**

**AYES: Council Members Harris, Wyatt, Bestpitch, Carder, Cutler, Dowe and Mayor Smith-----7.**

**NAYS: None-----0.**

**BUDGET-GRANTS: Mr. Harris offered the following ordinance adopting the Grant Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003, and ending June 30, 2004, in the amount of \$91,000.00:**

**(#36325-051203) AN ORDINANCE adopting the Grant Fund Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2003, and ending June 30, 2004; and dispensing with the second reading by title of this ordinance.**

**(For full text of Ordinance, see Ordinance Book No. 67, page 278.)**

**Mr. Harris moved the adoption of Ordinance No. 36325-051203. The motion was seconded by Mr. Dowe and adopted by the following vote:**

**AYES: Council Members Harris, Wyatt, Bestpitch, Carder, Cutler, Dowe and Mayor Smith-----7.**

**NAYS: None-----0.**

**BUDGET-HOUSING/AUTHORITY-GRANTS:** The City Manager submitted a communication advising that in order to receive Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Shelter Grant (ESG) funding, the U. S. Department of Housing and Urban Development (HUD) requires that entitlement localities, such as the City of Roanoke, submit a Five-Year Consolidated Plan and Annual Updates.

It was further advised that on April 7, 2003, Council received a summary of the draft plan which was distributed to the public on March 27, 2003; on April 21, 2003, Council received the proposed 2003-04 Annual Update as part of the Recommended Resource Allocation Plan; the draft Annual Update was made available for public review and comment for the 30-day period that began on April 3 and ended on May 2, 2003; opportunities for citizen input were provided at three public hearings which were held on November 14, 2002, March 27, 2003 and May 1, 2003; to ensure that the City's HUD fiscal year begins on July 1, 2003, HUD must receive the Annual Update on May 15, 2003; and funding for fiscal year 2003-04 will be available from the following sources:

<b>New 2003-04 HUD Entitlements</b>	<b>\$ 3,043,716.00</b>
<b>Estimated 2003-04 Program Income</b>	<b>615,051.00</b>
<b>Estimated Prior Year Excess Program Income</b>	<b>355,512.00</b>
<b>Estimated Prior Year Carry-over</b>	<b><u>14,358.00</u></b>
<b>Total HUD Funds</b>	<b>\$ 4,028,637.00</b>

It was explained that it is estimated that the \$4.0 million in HUD funds will leverage as much as an additional \$1.9 million in other public and private funding, thus, total investment in those activities included in the Annual Update will be approximately \$5.9 million.

The City Manager recommended that she be authorized to submit the 2003-04 Consolidated Plan Annual Update to HUD for review and approval.

Mr. Harris offered the following resolution:

(#36326-051203) A RESOLUTION authorizing the City Manager to submit an approved Annual Update to the Consolidated Plan for FY 2003-2004 to the United States Department of Housing and Urban Development (HUD) for final review and approval, and authorizing execution of the appropriate documents for the acceptance of such funding.

(For full text of Resolution, see Resolution Book No. 67, page 279.)

Mr. Harris moved the adoption of Resolution No. 36326-051203. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Harris, Wyatt, Carder, Cutler, Dowe and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Bestpitch abstained from voting inasmuch as his spouse is employed by the YMCA of Roanoke Valley.)

**BUDGET-CAPITAL IMPROVEMENTS PROGRAM:** The City Manager submitted a communication advising that the Capital Improvement Program (CIP) for fiscal years 2004-2008 is a plan recommended for approval by Council for capital expenditures to be incurred over the next five years, in order to address priority long-term capital needs of the City of Roanoke; the CIP reflects the current status of projects which have previously been approved and funded by Council, plus seven new recommended projects, and is a revision to the Fiscal Years 2003-2007 Capital Improvement Program approved by Council on May 13, 2002.

It was further advised that on April 21, 2003, Council received the proposed Capital Improvement Program for Fiscal Years 2004-2008 as part of the Recommended Resource Allocation Plan; the Capital Improvement Program for Fiscal Years 2004-2008 is comprised of capital projects, with an estimated cost of project completion totaling \$323,433,304.00; and seven new projects are included which will require additional funding of \$36,576,169.00:

**Municipal North Renovation – FY2005** **\$2,000,000.00**  
Renovation of the 57,000 square foot facility to accommodate new tenants after relocation of the Department of Social Services to the Civic Mall facility on Williamson Road – to be cash funded in fiscal year 2005.

**Public Works Service Center –**  
**Phase II – FY 2005** **\$1,000,000.00**  
Next phase of improvements at this 24 year-old facility to include the reconfiguration of existing interior space within the main building to accommodate administrative office space needs and improve efficiency, and reconfiguration and reassignment of space on the site to accommodate parking and storage needs for vehicles, equipment, and material – to be cash funded in fiscal year 2005.

**Stormwater Management Program –**  
**Phase I – FY 2005** **\$11,000,000.00**  
First phase of work will begin to address over \$50 million in storm drainage projects throughout the City – to be funded from an \$11 million bond issue in fiscal year 2005; a new stormwater management fee will be recommended to provide adequate revenues to repay the debt.

**Church Avenue West Parking Garage –**  
**FY 2006** **\$7,200,000.00**  
Construction of a 500-space facility in the Church Avenue corridor extending from 3rd Street to 7th Street to be funded from a \$7.2 million bond issue in fiscal year 2006; while Century Station Parking Garage bonds will be refunded in fiscal year 2004 to provide \$360,000.00 in annual funding for the project, a general increase in parking rates system-wide will also be needed to repay the debt.

**Roanoke Center for Industry and Technology –**  
**Phase V – FY 2006** **\$1,750,000.00**  
Grading and roadway construction costs to open site “E” for future development – to be cash funded in fiscal year 2006.

**Roanoke River Flood Reduction Project –**  
**FY 2007** **\$4,521,169.00**  
Additional local funding projected to be needed for this \$64 million project based on current Corps of Engineers project cost estimates – to be funded from a \$4.5 million bond issue in fiscal year 2007.



**Riverside Centre for Research and Technology –  
Phase II – FY 2007** **\$9,105,000.00**

Next phase of property acquisition to facilitate continued development of the project in the South Jefferson Redevelopment Area – to be funded from a \$5.4 million bond issue in fiscal year 2007 and proceeds from the sale of property in the project area.

The City Manager recommended that Council approve the following new capital projects recommended in the CIP update, requiring additional funding of \$36,576,169.00:

- |  |                 |
|--|-----------------|
| • Municipal North Renovation                                 | \$ 2,000,000.00 |
| • Public Works Service Center - Phase II                     | \$ 1,000,000.00 |
| • Stormwater Management Program -<br>Phase I                 | \$11,000,000.00 |
| • Church Avenue West Parking Garage                          | \$ 7,200,000.00 |
| • Roanoke Center for Industry and<br>Technology – Phase V    | \$ 1,750,000.00 |
| • Roanoke River Flood Reduction Project                      | \$ 4,521,169.00 |
| • Riverside Center for Research and<br>Technology – Phase II | \$ 9,105,000.00 |

Appropriate \$981,102.00 included in the fiscal year 2003-04 Transfers to Capital Projects, Account No. 001-250-9310-9508, to respective capital project accounts established by the Director of Finance for the following projects:

- \$150,000.00 to Capital Project Account No. 008-052-9549 for Bridge Maintenance
- \$341,280.00 to Capital Project Account No. 008-530-9678 for Fire/EMS Facility Improvements Program
- \$199,274.00 to Capital Project Account No. 008-530-9736 for NPDES Phase II - Stormwater Management
- \$145,548.00 to Capital Project Account No. 008-530-9800 for Traffic Signals
- \$145,000.00 to Capital Project Account No. 008-530-9799 for Traffic Calming Initiatives

Mr. Dowe offered the following resolution:

**(#36327-051203) A RESOLUTION endorsing the update to the Capital Improvement Program submitted by the City Manager by letter of May 12, 2003.**

**(For full text of Resolution, see Resolution Book No. 67, page 280.)**

**Mr. Dowe moved the adoption of Resolution No. 36327-051203. The motion was seconded by Mr. Carder and adopted by the following vote:**

**AYES: Council Members Harris, Wyatt, Bestpitch, Carder, Cutler, Dowe and Mayor Smith-----7.**

**NAYS: None-----0.**

**BUDGET-CAPITAL IMPROVEMEMENTS PROGRAM: Mr. Harris offered the following ordinance:**

**(#36328-051203) AN ORDINANCE to amend and reordain certain sections of the 2003-2004 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.**

**(For full text of Ordinance, see Ordinance Book No. 67, page 282.)**

**Mr. Harris moved the adoption of Ordinance No. 36328-051203. The motion was seconded by Mr. Dowe and adopted by the following vote:**

**AYES: Council Members Harris, Wyatt, Bestpitch, Carder, Cutler, Dowe and Mayor Smith-----7.**

**NAYS: None-----0.**

**BUDGET-PENSIONS: Mr. Harris offered the following ordinance providing for certain supplemental benefits under the City of Roanoke Pension Plan to certain members of such Plan and certain of their surviving spouses, effective July 1, 2003:**

**(#36329-051203) AN ORDINANCE providing for certain supplemental benefits under the City of Roanoke Pension Plan to certain members of such Plan and certain of their surviving spouses; providing for an effective date; and dispensing with the second reading by title of this ordinance.**

**(For full text of Ordinance, see Ordinance Book No. 67, page 283.)**

Mr. Harris moved the adoption of Ordinance No. 36329-051203. The motion was seconded by Mr. Dowe.

Mr. E. Duane Howard, 508 Walnut Avenue, S. W., requested that more detailed information be provided so that citizens of Roanoke will have all of the facts relating to measures that the Council is considering for enactment.

Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., requested that more information be provided to the public prior to enactment of measures by Council. She called attention to her previous remarks which were misinterpreted and clarified that she did not intend to imply that only wealthy citizens should serve on City Council. She concurred in the comments of Council Member Dowe that an independent entity should be appointed to address pay increases for the Mayor and Members of City Council inasmuch as Council Members are not employees of the City of Roanoke and their performance in office can only be judged and evaluated by the citizens of Roanoke at election time.

Ordinance No. 36329-051203 was adopted by the following vote:

AYES: Council Members Harris, Wyatt, Bestpitch, Carder, Cutler, Dowe and Mayor Smith-----7.

NAYS: None-----0.

COUNCIL: A communication from Vice-Mayor C. Nelson Harris, Chair, City Council Personnel Committee, requesting that Council convene in a Closed Meeting to discuss the performance of a Council-Appointed Officer, pursuant to Section 2.2-3711 (A), (1), Code of Virginia (1950), as amended, was before the body.

Mr. Harris moved that Council convene in closed session as above stated. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Harris, Wyatt, Bestpitch, Cutler, Dowe and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Carder was absent.)

At 10:30 a.m., the Mayor declared the meeting in recess for one closed session.

At 11:47 a.m., the meeting reconvened in the Council Chamber, with Mayor Smith presiding and all Members of the Council in attendance, except Council Members Bestpitch, Carder and Dowe.

COMMITTEES-CITY COUNCIL: With respect to the Closed Meeting just concluded, Mr. Cutler moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Harris, Wyatt, Cutler, and Mayor Smith-----4.

NAYS: None-----0.

(Council Members Bestpitch, Carder and Dowe were absent.)

There being no further business, the Mayor declared the special meeting adjourned at 11:50 a.m.

A P P R O V E D

ATTEST:

Mary F. Parker  
City Clerk

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Ralph K. Smith  
Mayor